

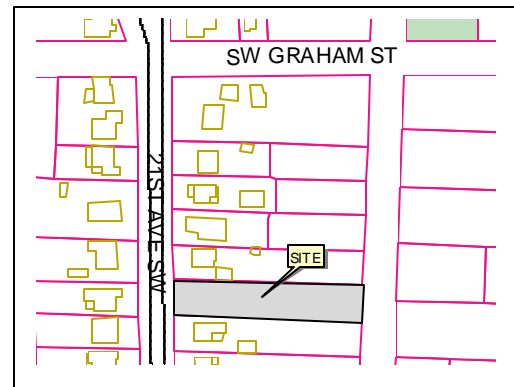


City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3003612
Applicant Name: Aleanna Kondelis
Address of Proposal: 6330 21st Avenue SW



SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,605 sq. ft. and B) 8,512 sq. ft. The existing single family residence on Proposed Parcel “A” will remain.

The following approvals are required:

Short Subdivision - to create two parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA Environmental Determination (Chapter 25.05 SMC)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

Site Description

The subject site is a rectangular shaped lot with 14,117 square feet of lot area and slopes downward from west to east. The site is located in a Single-Family Residential 5000 (SF 5000) zone and developed with an existing single-family home towards the westerly portion of the site. 21st Avenue SW abuts to the west of the site.

The subject site contains a wetland with an associated 50-foot buffer towards the easterly portion of the site. The Puget Ridge Creek is located off-site towards the east but the 100-foot riparian corridor buffer extends onto the site. The applicant submitted a Wetland Assessment Report prepared by Jeffery Jones (Certified Professional Wetland Scientist) and dated November 1, 2005. After reviewing the Assessment and conducting a site visit, the City's Wetland Biologist concurs with the typing, size and location of the wetland and stream identified in the above referenced assessment. Additionally, the City's Wetland Biologist determined a 60-foot buffer is required for the Type III Wetland in order to provide adequate protection to the wetland.

Surrounding Area Description

The surrounding area is zoned primarily SF 5000 and developed with a variety of single-family homes.

Proposal

Land Use Permit to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,605 sq. ft. and B) 8,512 sq. ft. The existing single family residence will remain on proposed parcel "A". Access for proposed parcel "B" will be provided via a 12-foot easement running along the southerly property line of Proposed Parcel "A".

Public Comments

The application was deemed to be complete on March 8, 2006 and notice of application was sent on March 23, 2006. The 14 day public comment period ended on April 5, 2006. No public comments were received through the public notice process.

ANALYSIS – SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees.*

Analysis

Based on information provided by the applicant, referral comments as appropriate from DPD, Fire Departments (SFD), and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. Seattle City Light has reviewed the proposal and will require an easement to provide for electrical facilities and service to the proposed parcels. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions as set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access (including emergency vehicles), and access to maintain/install utilities. Adequate provisions for drainage control, water supply (Water Availability Certificate #20060459 issued March 15, 2006), and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The development site contains a mapped Wetland and Riparian Corridor as defined in Seattle Municipal Code Chapter 25.09. The proposed short plat is in conformance with the environmentally critical areas general and submittal standards, as well as the specific standards for Wetlands and Riparian Corridors and other related development standards. New construction on the parcels containing the Wetland and Riparian Corridor will also be subject to the provisions SMC Chapter 25.09, Regulations for Environmentally Critical Areas. Grading and construction of any future structures will be reviewed during the building permitting stage and will be examined for conformance with all applicable requirements of the Land Use Code and Policies pertaining to Environmentally Critical Areas Ordinance. Therefore, this proposed short subdivision is in conformance with City of Seattle Policies and Regulations for development in Environmentally Critical Areas. No trees will be removed unnecessarily as a result of the proposed configuration of property lines, thus the short plat has been designed to maximize the retention of trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist prepared by Aleanna Kondelis and submitted on March 7, 2006. The information in the checklist, a Wetland Assessment prepared by Jeffery Jones, dated July 29, 2006, comments, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including in additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The undersigned planner has analyzed the environmental checklist submitted by the project applicant and reviewed the project plans and the additional information in the file and any comments which may have been received regarding this proposed action.

Based upon a site visit conducted by the City's Wetland Biologist, it was determined a 60-foot buffer would be more appropriate in providing adequate protection to the Type III Wetland.

In this instance, no additional conditioning or mitigation other than the increased buffer for the wetland is warranted pursuant to the SEPA Overview Policy as the Seattle Municipal Code development regulations applicable to this proposed project will provide sufficient protection to the riparian corridor and wetland.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS - SEPA

1. Revise the short plat to show a 60-foot buffer for the Type III Wetland identified on the easterly portion of the site.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and/or responsible party(s) shall:

2. Comply with all applicable standard recording requirements and instructions.
3. Record an Environmentally Critical Area Covenant with King County and submit with final short plat.
4. Remove Tract 1 and combine with Proposed Parcel "B".
5. Remove proposed building footprint on Proposed Parcel "B".
6. **INK THE FOLLOWING CONDITION OF APPROVAL** to the face of the short plat, or on a separate page if needed. If the conditions are on a separate page, insert on the plat:

"For conditions of approval after recording, see Page ____ of ____." (If necessary, renumber the pages).

- "This site contains Environmentally Critical Areas (ECAs) as defined in SMC 25.09. The submittal requirements and other related development standards of Chapter 25.09 of the Seattle Municipal Code still apply to development on the site."

After Recording and Prior to Issuance of future Building Permit

The owner(s) and/or responsible party(s) shall:

7. Attach a copy of the recorded short plat to all building permit plan sets.
8. Submit a standard drainage control plan for all initial building permits on proposed parcels.
9. The building permit application for construction on proposed Lot "B" shall meet 2003 SFC Sect. 503.1.1 Buildings and facilities, "Approved, unobstructed fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility."

Signature: _____ (signature on file) Date: August 31, 2006

Mark Taylor, Land Use Planner
Department of Planning and Development

MJT:bg

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